

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BARRY WAYNE ADAMS,)	
)	
Petitioner,)	Case No. 1:06-cv-785
)	
v.)	Honorable Robert Holmes Bell
)	
STATE OF MICHIGAN, et al.,)	
)	
Respondents.)	<u>ORDER</u>
_____)	

On December 7, 2006, this court entered a judgment summarily dismissing this habeas corpus action under Rule 4 of the Rules Governing Section 2254 Proceedings. Petitioner, who is not presently incarcerated, has filed an “objection” to the court’s judgment. Relief from judgment is available only pursuant to Rule 59(e) or Rule 60(b) of the Federal Rules of Civil Procedure. Petitioner’s objection was filed outside the mandatory ten-day time limit for motions under Rule 59(e), so relief under this rule is unavailable. To the extent that petitioner’s objections are intelligible, they do not allege grounds for relief under Rule 60(b). Accordingly:

IT IS ORDERED that petitioner’s objection (docket # 11), construed as a motion for relief from judgment under Fed. R. Civ. P. 60(b), be and hereby is DENIED.

Dated: January 29, 2007

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE